

## **RESOLUTION 12-2010**

### **RESOLUTION ANNEXING ADJACENT TERRITORY TO THE JEFFERSON CITY AND CLANCY FIRE DISTRICTS THROUGH A BOUNDARY RELOCATION**

**WHEREAS**, pursuant to §7-33-2125, MCA, the Board of County Commissioners received a petition requesting the annexation of certain lands adjacent to the Jefferson City and Clancy Fire Districts in Jefferson County. The matter having been published legally on May 19 and 26, 2010 and now this matter having come before the Board of County Commissioners of Jefferson, Montana for hearing on June 1, 2010 at 2:00 p.m.; with said Board of County Commissioners having held an open meeting, heard statements and evidence and having reviewed the Petition and various other documents and maps; and with the said Board of County Commissioners being duly advised in the premises; and

**WHEREAS**, the Board of County Commissioners of Jefferson County, Montana has received a written Petition, signed by fifty percent (50%) or more of the owners of the area of privately owned lands proposed to be annexed, seeking the annexation to the Jefferson City and Clancy Fire Districts of adjacent lands; and that said Petition appears to be in proper form and free from legal defect in all respects; and

**WHEREAS**, the area subject to the said Petition constitutes lands adjacent to the existing Jefferson City and Clancy Fire District; and

**WHEREAS**, the area of adjacent lands, subject to the Petition, are described in Exhibits “A” and “B” hereto, which exhibits are by this reference incorporated in these Findings and made a part hereof; and that Exhibit “B” includes a map of the area as an attachment; and

**WHEREAS**, the Clerk and Recorder of Jefferson County has examined said Petition and has determined that the same has been signed by the owners of fifty percent (50%) or more of the said area of adjacent, privately owned lands; and the said Clerk and Recorder has further certified to this Board of County Commissioners that the signers of the Petition constitute a majority of the taxpaying freeholders, within such area, whose names appear on the last completed assessment roll; and

**WHEREAS**, the said Petition has been presented to the Board of Trustees of the Jefferson City and Clancy Fire Districts and has been approved by said Trustees; and that said Trustees are willing and able to provide fire protection services to the area subject to the Petition; and

**WHEREAS**, due and proper notice of the hearing of said Petition, was duly published in the *Whitehall Ledger*, the newspaper designated by the Jefferson County Board of County Commissioners, respectively, for the publication of legal notices, in the manner required by law; and

**WHEREAS**, the Board of County Commissioners has received no written protest to the petition, nor any other written or oral objections to the proposed annexation of adjacent lands; and

**WHEREAS**, pursuant to §7-33-2125, MCA, the annexed territory is required to become liable for outstanding warrants and/or bonded indebtedness, if any, of the original district.

**NOW, THEREFORE**, on the basis of the foregoing findings, this Board of County Commissioners of Jefferson County, Montana, hereby resolves:

1. That this Board of County Commissioners has jurisdiction over the subject Petition and over these proceedings.
2. That the area described in Exhibits “A” and “B” (including the map) which are adjacent to the existing Jefferson City and Clancy Fire Districts ARE ANNEXED to the said Jefferson City and Clancy Fire Districts.
3. That, hereafter, at all times and for all purposes, the Jefferson City and Clancy Fire Districts shall comprise and include not only those lands presently included within said Fire Districts’ boundaries, but also all of the privately owned lands described in Exhibits “A” and “B” hereto.
4. That such annexed lands and territory shall be hereafter liable for any outstanding warrants and any bonded indebtedness of the original Jefferson City and Clancy Fire Districts per statutory requirements.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**DAVE KIRSCH, COMMISSIONER**

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**LEONARD WORTMAN, COMMISSIONER**

## **EXHIBIT A FIRE DISTRICT BOUNDARY CHANGE**

Beginning at a point of the intersection of Sections 17, 18, 19 and 20, T8N, R3W, Montana Principal Meridian, then ease approximately 1 mile along the section line common between Sections 17 and 20, continuing east approximately 3/4 mile along the section line common to Sections 16 and 21, ending at the NW corner of the NWNE Section 21, then in a south direction approximately 1/8 mile, then in a westerly direction for approximately 1/8 mile to the center of Section 21, then in an easterly direction along the center line of Section 21 for approximately 1/2 mile to the intersection with Section 22, then eastward approximately 1/8 mile on the centerline of Section 22, then in a southeast direction to the section line on the northern E-W boundary of Section 27 at the center point of this line.

Pertaining to the legal descriptions for Jefferson City VFD and the Clancy VFD boundaries as found on the Jefferson County Fire Districts legal description on the Internet, the following changes are proposed for Item (B) Clancy and Exhibit A, Resolution 17-99 for Jefferson City.

### **CLANCY**

Township 8 North, Range 3 West

All of Sections 1 through 19, and Sections 23 through 26 and Sections 35 and 26, including the NE 1/4 of Section 21 with the exception of that portion described in COS 226427 Folio 755B as Ponderosa Minor Subdivision.

### **JEFFERSON CITY**

Resolution 17-99, Exhibit A of Jefferson City legal description will change on the line describing T8N, R3W, as follows: T8N, R3W, P.M.M. All of Sections 20, 27, 28, 29, 30, 31, 32, 33 and 34. The NE 1/4 of Section 21 is excluded with the exception of the NWNE. Section 22 to include the Ponderosa Minor Subdivision as described in COS 226427 Folio 755B Ponderosa Ranch Minor Subdivision.